

Appl. No. 09/982,481
 Amdt. dated December 22, 2005
 Reply to Office action of October 4, 2005

REMARKS/ARGUMENTS

Applicants have received the Office action dated October 4, 2005, in which the Examiner: 1) rejected claims 31-39 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement; 2) rejected claims 31-39 under 35 U.S.C. § 112, second paragraph; and 3) rejected claims 31-43 under 35 U.S.C. § 103(a) as being unpatentable over Tabei et al. (U.S. Patent No. 5,929,863) (hereinafter "*Tabei*") in view of Davies et al. (U.S. Patent No. 6,400,366) (hereinafter "*Davies*"). With this Response, Applicants have amended claims 31, 36, and 40 and canceled claim 32.

I. THE § 112, FIRST PARAGRAPH, REJECTIONS

Applicants fail to understand the Examiner's written description rejection. The Examiner simply stated that "descriptive means cannot be found in the disclosure for the inventions of base claims 31, 32, and 36." The Examiner, however, failed to specify which limitations are at issue. Without knowing the basis for the written description rejections, Applicants are at a disadvantage to respond. Clarification is respectfully request.

The table provided below illustrates at least some locations in the specification where support can be found for the limitations of claims 31 and 36. Other support may be found as well.

Claim	Support
31. A computer-readable medium having computer-readable program code embodied therein that is adapted to cause a computer to implement a method to form a pixel bar chart comprising a plurality of columns, each column having a plurality of pixels, the method comprising:	
determining a width, in numbers of pixels, of each of the columns, the width of some columns being different than the width of other columns;	Page 17, lines 1-8; Figs. 3a and 3b
assigning one record to each of said pixels in said columns; and	Page 9, lines 13-14

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Claim	Support
applying a selectable color to each of the pixels in all of the columns according to an attribute of said records, wherein at least some pixels have a different color applied than other pixels.	Page 15, lines 15-16
36. A method, comprising:	
receiving a plurality of records, each record having a plurality of attributes;	Originally submitted claim 21 (which forms part of the specification).
determining a width, in numbers of pixels, of each of a plurality of columns on a display, the width of some columns being different than the width of other columns and each column comprising a plurality of pixels;	Page 17, lines 1-8; Figs. 3a and 3b
assigning one record to each of said pixels in said columns; and	Page 9, lines 13-14
applying a selectable color to each of the pixels in all of the columns according to an attribute of said records, wherein at least some pixels have a different color applied than other pixels.	Page 15, lines 15-16

II. THE § 112, SECOND PARAGRAPH, REJECTIONS

The Examiner's § 112, second paragraph, rejections have been addressed by way of amendment to claims 31 and 36. The Examiner was concerned that "applying a selectable color to each of the pixels in all of the columns" could mean applying the same color to all pixels. Applicants submit that, while it is possible to apply the same color to all pixels, more typically at least some pixels will have a different color than other pixels. One of ordinary skill in the art, reading Applicants' specification, would understand the metes and bounds of claims 31 and 36.

III. THE ART REJECTIONS

Claim 31 requires the "pixel bar chart" to comprise a plurality of columns wherein the "width of some columns being different than the width of other columns." The Board of Patent Appeals and Interferences and the Examiner

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agree that Tabei does not teach this limitation. The Examiner, however, now introduces Davies that, according to the Examiner, teaches a chart with varying column widths. Specifically, the Examiner referred to Figure 7 of Davies, which shows a bar graph. Figure 7 is reproduced below for convenience.

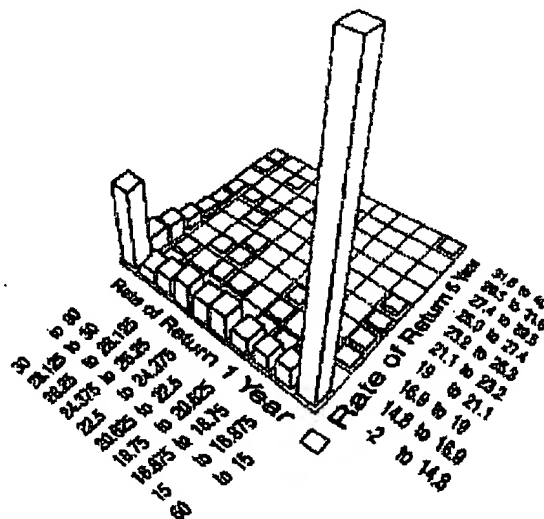


FIG. 7

On December 21, 2005, Applicants discussed the Examiner's use of Figure 7 of Davies with the Examiner. The Examiner explained that, because the range for each sub-grouping along the X and Y-axes varies, Davies thus depicts a chart with different width columns. For example, along the "Rate of Return 1 Year axis" the first sub-grouping is from 30 to 90 and the second sub-grouping is from 28.125 to 30. Thus, according to the Examiner the range of each of these two sub-groupings is different.

Applicants have amended claim 31 to clarify that the width of the each column is defined in terms of "numbers of pixels." Thus, the width of the claimed columns differ in terms of pixels. As is clearly apparent from Figure 7 of Davies, the width of each column, in terms of pixels, is the same from column to column. For at least this reason, claim 31 and all claims dependent thereon are allowable. Same or similar amendments have been made to independent claims 36 and 40.

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Accordingly, claims 36 and 40 and their associated dependent claims are in condition for allowance for the same or similar reason as claim 31.

Claims 31 and 36 are allowable for another reason as well. These claims require "assigning one record to each of said pixels in said columns." On page 6 of the Office Action, the Examiner acknowledged that Tabei only shows "a limited number of data points in each graph, for a limited number of records." However, the Examiner contended "Tabei is capable of drawing every data point or every pixel in the graph for a large number of records...." Thus, according to the Examiner, "Tabei teaches assigning records to every pixel in the columns of the distribution graph." Applicants respectfully submit that the Examiner is inappropriately reading Tabei. Tabei does not actually teach what the Examiner has suggested. Tabei clearly does not teach applying a record to each and every pixel in a distribution graph. The X-Y graphs of Tabei would likely be unreadable if every pixel were rendered with an associated record. The pixel bar chart of claim 31, however, is intended to have records assigned to all of its pixels. By varying the widths of the various columns, the pixel bar chart of claim 31 self-adjusts to the available records being depicted so that every pixel is assigned a record. Moreover, the pixel bar chart of claim 31 is a fundamentally different type of graphical depiction than the X-Y distribution graph of Tabei. For this additional reason, claim 31 and all claims dependent thereon are allowable.

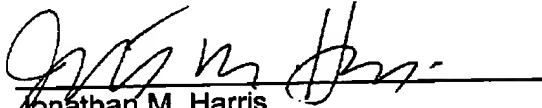
IV. CONCLUSION

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including

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fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,


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